

Analysis showed that it consisted essentially of plant material including fenugreek, and inorganic material including sulphur and compounds of iron, aluminum, calcium, carbon, sulphur, and phosphorus.

The article was alleged to be misbranded in that the statements appearing upon the packages regarding its curative and therapeutic effects were false and fraudulent.

On October 31, 1935, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25147. Adulteration and misbranding of Compressed Tablets No. 117 Phenacetin; Syrup No. 17 Hypophosphites Compound; Elixir No. 83 Iron, nacetin; Syrup No. 17 Hypophosphites Compound; Elixir No. 83 Iron, Acetate; Elixir No. 54 Terpin Hydrate and Codeine; Fluid Extract No. 229 Stramonium; and Ointment No. 5 Calomel. U. S. v. C. E. Jamieson & Co., a corporation. Plea of guilty. Fine, \$700. (F. & D. no. 31496. Sample nos. 5794-A, 15554-A, 15564-A, 15566-A, 15581-A, 15593-A, 15596-A.)

All these articles differed from the National Formulary standard and all fell below the professed standard. The labels of all bore incorrect statements. The label of one was without a statement that an ingredient, codeine, was a derivative of morphine.

On January 15, 1935, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court an information against C. E. Jamieson & Co., a corporation, Detroit, Mich., alleging shipment by it in violation of the Food and Drugs Act as amended, on or about March 25 and July 26, 1932, from Detroit, Mich., to Cleveland, Ohio, of quantities of Compressed Tablets No. 117 Phenacetin; Syrup No. 17 Hypophosphites Compound; Elixir No. 83 Iron, Quinine & Strychnine; Elixir No. 12 Buchu, Juniper and Potassium Acetate; Elixir No. 54 Terpin Hydrate and Codeine; Fluid Extract No. 229 Stramonium; and Ointment No. 5 Calomel. The articles were labeled in part: (Bottle) "Compressed Tablets No. 117 Phenacetin 5 Grains"; (bottle) "Syrup No. 17 Hypophosphites Compound (Clear) Each fluidounce contains—Calcium Hypophosphite 1 gr. Sodium Hypophosphite $\frac{1}{2}$ gr., Potassium Hypophosphite 1 gr. Ferrous Hypophosphite 1 gr., manganese Hypophosphite 1 gr., Quinine Hypophosphite $\frac{1}{8}$ gr., Strychnine Hypophosphite $\frac{1}{8}$ gr. Dose: 1 fluidrachm (4cc.)"; (bottle) "Elixir No. 83 Iron, Quinine & Strychnine N.F. (Strength) Alcohol, 10%. Each fluidounce contains: Tr. Citro-Chloride of Iron, 60 mins: Quinine Hydrochloride, 4 grs.; Strych, Sulphate, 8/100 gr.; Glycerin, q. s. * * *"; (bottle) "1 Pint Elixir No. 12 Buchu, Juniper and Potassium Acetate Alcohol 20% Each fluid ounce represents—Buchu 45 gra. Juniper Berries, 12 grains; Potassium Acetate, 16 grains"; (bottle) "1 Pint Elixir No. 54 Terpin Hydrate and Codeine, N. F. Alcohol 40%. Glycerine 20%. Each fluidounce represents—Terpin Hydrate, 8 grains, Codeine Sulphate 1 grain"; (bottle) "16 Fluidounces Fluid Extract No. 229 Stramonium N. F. Datura Stramonium, Lin. Alcohol 50%"; (jar) "1 Pound Ointment No. 5 Calomel Contains 5% Calomel in a hardened petrolatum base."

Adulteration of the Compressed Tablets No. 117 was charged under the allegations that each tablet was represented to contain 5 grains of phenacetin; that each tablet contained not more than 4.55 grains thereof; and that the strength and purity of the article fell below the professed standard and quality under which it was sold.

Adulteration of the Syrup No. 17 Hypophosphites Compound was charged (a) under the allegations that it was sold under a name recognized in the National Formulary; that the said formulary provided that syrup hypophosphites compound should contain not less than 1.106 grams of anhydrous quinine and strychnine per 1,000 cubic centimeters; that the article contained not more than 0.75 gram thereof per said unit; that the article differed from the standard of strength, quality, and purity as determined by the test laid down in said formulary; and that the standard of the strength, quality, and purity of the article was not declared on the container thereof; (b) under the allegations that each fluid ounce of the article was represented to contain seven-sixteenths of a grain of quinine hypophosphite and one-eighth of a grain of strychnine hypophosphite; that each said unit thereof contained less than seven-sixteenths of a grain and less than one-eighth of a grain of those ingredients, respectively; and that the article fell below the professed standard and quality under which it was sold.

Adulteration of the Elixir No. 83 Iron, Quinine and Strychnine was charged (a) under the allegations that it was sold under a name recognized in the National Formulary; that the said formulary provided that elixir of iron, quinine, and strychnine should contain not less than 20.4 percent of alcohol; that the article contained not more than 14.7 percent of alcohol; that the article differed from the standard of strength, quality, and purity as determined by the test laid down in said formulary; and that the standard of strength, quality, and purity of the article was not declared on the container thereof; (b) under the allegations that the article was represented to be elixir of iron, quinine, and strychnine which conformed to the standard laid down in the National Formulary; that it was represented that the article contained 10 percent of alcohol; that the article contained 14.7 percent of alcohol; that the article was not such elixir; and that the article fell below the professed standard and quality under which it was sold.

Adulteration of the Elixir No. 12 Buchu, Juniper and Potassium Acetate was charged (a) under the allegations that it was sold under a name recognized in the National Formulary; that the said formulary provided that elixir of buchu, juniper, and potassium acetate should contain not less than 50 grams of potassium acetate per 1,000 cubic centimeters and not less than 35.5 percent of alcohol by volume; that the article contained not more than 9.9 grams of potassium acetate per said unit and not more than 19.8 percent of alcohol by volume; that the article differed from the standard of strength, quality, and purity as determined by the test laid down in said formulary; and that the standard of strength, quality, and purity of the article was not declared on the container thereof; (b) under the allegations that each fluid ounce of the article was represented to contain 16 grains of potassium acetate; that each such unit thereof contained not more than 4.5 grains of that ingredient; that the article fell below the professed standard and quality under which it was sold; (c) under the allegation that the article contained alcohol and that its label failed to bear a statement of the quantity or proportion thereof in the article.

Adulteration of the Elixir No. 54 Terpin Hydrate and Codeine was charged (a) under the allegations that it was sold under a name recognized in the National Formulary; that the said formulary provided that elixir of terpin hydrate and codeine should contain not less than 2 grams of codeine per 1,000 cubic centimeters; that the article contained less than 2 grams thereof per said unit; that the article differed from the standard of strength, quality, and purity as determined by the test laid down in said formulary; and that the standard of the strength, quality, and purity of the article was not declared on the container thereof; (b) under the allegations that the article was represented to be elixir of terpin hydrate and codeine which conformed to the standard laid down in the National Formulary; that it was represented that each fluid ounce of the article represented 1 gram of codeine sulphate; that the article contained not more than 0.77 grain of codeine sulphate per fluid ounce; that the article was not such elixir; that the article fell below the professed standard and quality under which it was sold.

Adulteration of the Fluid Extract No. 229 Stramonium was charged (a) under the allegations that it was sold under a name recognized in the National Formulary; that the said formulary provided that fluidextract of stramonium should contain not more than 0.28 gram of the alkaloids of stramonium per 100 cubic centimeters; that the article contained more than 0.28 gram thereof per said unit; that the article differed from the standard of strength, quality, and purity as determined by the test laid down in said formulary; and that the standard of strength, quality, and purity of the article was not declared on the container thereof; (b) under the allegations that the article was represented to be fluid extract of stramonium which conformed to the standard laid down in the National Formulary; that it was represented that the article contained not more than 0.28 gram of the alkaloids of stramonium per 100 cubic centimeters; that the article contained more than that per centum thereof per said unit; that the article was not fluidextract of stramonium; that the article fell below the professed standard and quality under which it was sold.

Adulteration of the Ointment No. 5 Calomel was charged (a) under the allegations that it was sold under a name recognized in the National Formulary; that the said formulary provided that calomel ointment should contain in 100 grams 30 grams of mild mercurous chloride; that the article contained in 100 grams 6.12 grams thereof; that the article differed from the standard of strength, quality, and purity as determined by the test laid down.

in said formulary; and that the standard of strength, quality, and purity of the article was not declared on the container thereof; (b) that the article was represented to contain 5 percent of calomel; that the article contained not less than 6.12 percent of calomel; that the article fell below the professed standard and quality under which it was sold.

The Compressed Tablets No. 117 Phenacetin were alleged to be misbranded in that the statement on the label, to wit, "Tablets * * * phenacetin 5 grains", was false and misleading in that the article contained less than 5 grains of phenacetin.

The Syrup No. 17 Hypophosphites Compound was alleged to be misbranded in that the statement on the label, to wit, "Each fluidounce contains * * * quinine hypophosphite $\frac{1}{8}$ gr.; strychnine hypophosphite $\frac{1}{8}$ gr.", was false and misleading in that the article contained a less amount of each substance.

The Elixir No. 83 Iron, Quinine & Strychnine was alleged to be misbranded in that the statement on the label, to wit, "Elixir * * * Iron, Quinine and Strychnine N. F. (Strength) * * * Alcohol 10%", was a profession that the article was of National Formulary standard and that it contained 10 percent of alcohol, and was a false and misleading profession in that the article was not of such standard and contained more than 10 percent of alcohol; (b) in that the label on the article failed to bear a statement of the quantity or proportion of its alcoholic content.

The Elixir No. 12 Buchu, Juniper and Potassium Acetate was alleged to be misbranded in that the statement on the label, to wit, "Each fluid ounce represents * * * Potassium Acetate 16 grains", was false and misleading in that each fluid ounce contained less than 16 grains of potassium acetate.

The Elixir No. 54 Terpin Hydrate and Codeine was alleged to be misbranded in that the statement on the label, to wit, "Elixir * * * Terpin Hydrate and Codeine, N. F. * * * Each fluidounce represents * * * Codeine Sulphate 1 grain", was a profession that the article was of National Formulary standard, and was false and misleading in that the article was not of such standard and in that each fluid ounce thereof represented less than 1 grain of codeine sulphate; (b) in that the label on the article failed to bear a statement that an ingredient of the article, to wit, codeine, was a derivative of morphine.

The Fluid Extract No. 229 Stramonium was alleged to be misbranded in that the statements on the labels, to wit, "Fluid Extract Stramonium N. F. * * * Alcohol 50%" and "Standard: 0.22 to 0.28% alkaloids", were professions that the article was of National Formulary standard, and were false and misleading professions in that the article was not of such standard and that it contained more than 50 percent of alcohol and more than 0.28 percent of alkaloids of stramonium per 100 cubic centimeters; (b) in that the label on the article failed to bear a statement of the quantity or proportion of its alcoholic content.

The Ointment No. 5 Calomel was alleged to be misbranded in that the statement borne on the jar containing the article, to wit, "5% Calomel", was false and misleading in that the article contained more than 5 percent of calomel; (b) and in that the article was not of National Formulary strength, which fact was not stated on the label and the label did not bear a clear and exact statement of the nature and extent of such deviation.

On November 4, 1935, a plea of guilty was entered and a fine of \$700 was imposed.

W. R. GREGG, *Acting Secretary of Agriculture.*

25148. Misbranding of Precision Pills For Kidney and Bladder Ailments and Precision Rheumatic Relief Tablets. U. S. v. Laboratories, Inc. and Dewey W. Miles. Pleas of guilty. Fine, \$25 as to each defendant. (F. & D. no. 36044. Sample nos. 27877-B, 27878-B.)

Unwarranted curative and therapeutic claims were made for these articles.

On November 21, 1935, the United States attorney for the Western District of Missouri, acting upon a report by the Secretary of Agriculture, filed in the district court an information against Laboratories, Inc., and Dewey W. Miles, its president, Joplin, Mo., alleging shipment by them in violation of the Food and Drugs Act as amended, on or about January 17, 1935, from Joplin, Mo., to West Memphis, Ark., of quantities of Precision Pills For Kidney and Bladder Ailments and Precision Rheumatic Relief Tablets which were misbranded. Each article was labeled in part: (Bottle) "Laboratories, Incorporated, Joplin, Missouri."